

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

Leslie Nicole Knight and Alveza
Valenzuela, Individually and On
Behalf of Others Similarly Situated,

Plaintiffs,

v. CIVIL ACTION NO. 5:24-cv-1097-XR

Thomas Jeneby, M.D. a/k/a "Dr. Boom Boom Pow," The Plastic and Cosmetic Center of South Texas, P.A., Palm Tree Plastic Surgi-Center, LLC, Trilogy by Dr. Jeneby, Inc., Advanced Medical Support Services, PLLC, Chrysalis Cosmetic Surgery Center, PLLC, South Texas Aesthetic Training LLC and Shining Palm Tree Series, LLC

Defendants.

**DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE ANSWERS, OBJECTIONS, AND OTHER RESPONSIVE PLEADINGS TO
PLAINTIFFS' ORIGINAL COLLECTIVE ACTION COMPLAINT**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COME NOW Defendants Thomas Jeneby, M.D. a/k/a "Dr. Boom Boom Pow;" The Plastic and Cosmetic Center of South Texas, P.A.; Palm Tree Plastic Surgi-Center, LLC; Trilogy by Dr. Jeneby, Inc.; Advanced Medical Support Services, PLLC; Chrysalis Cosmetic Surgery Center, PLLC; South Texas Aesthetic Training LLC; and Shining Palm Tree Series, LLC (collectively, "Defendants") and file their Unopposed Motion for Extension of Time to File Answers, Objections, and Other Responsive Pleadings to Plaintiff's Original Collective Action Complaint, respectfully showing the Court as follows:

1. Plaintiffs filed their Original Collective Action Complaint ("Complaint") on

September 27, 2024 in the United States District Court for the Western District of Texas - San Antonio Division. Plaintiffs allege violations of The Fair Labor Standards Act (“FLSA”). The current deadline for Defendants Chrysalis Cosmetic Surgery Center, PLLC; The Plastic and Cosmetic Center of South Texas, P.A.; Thomas Jeneby; and Advanced Medical Support Services, PLLC to file their answers to the Complaint is November 18, 2024. Defendants are currently unaware of any answer deadline for the remaining Defendants.

2. The undersigned counsel was recently retained in this lawsuit and is working with Defendants to gather the necessary information to fully respond to Plaintiffs’ Complaint. Defendants and the undersigned counsel require additional time to gather information that will enable them to admit or deny certain allegations. Accordingly, Defendants respectfully request that the deadline for all Defendants to file answers, objections, and other responsive pleadings be extended by 30 days to December 18, 2024. Defendants do not request this extension for the purpose of delay but so that they may adequately respond to the Complaint.

3. Plaintiffs’ counsel has agreed to the requested extension of time.

4. A proposed Order granting the requested relief is being submitted with this Motion.

WHEREFORE, PREMISES CONSIDERED, Defendants Thomas Jeneby, M.D. a/k/a “Dr. Boom Boom Pow;” The Plastic and Cosmetic Center of South Texas, P.A.; Palm Tree Plastic Surgi-Center, LLC; Trilogy by Dr. Jeneby, Inc.; Advanced Medical Support Services, PLLC; Chrysalis Cosmetic Surgery Center, PLLC; South Texas Aesthetic Training LLC; and Shining Palm Tree Series, LLC request, without waiving any right to assert any defense or to file any response permitted by the Federal Rules of Civil Procedure, an extension of time to file their answers, objections, and other responsive pleadings until December 18, 2024.

Respectfully submitted,

/s/ Shavonne L. Smith

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF CONFERENCE

On November 12, 2024, the undersigned counsel conferred with Plaintiffs' counsel, Douglas Welmaker, regarding Defendants' requested extension of time to file answers, objections, and other responsive pleadings, and Plaintiffs' counsel agreed to the requested extension of time sought herein and does not oppose the Motion.

/s/ Shavonne L. Smith

Shavonne L. Smith

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of November, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will transmit a Notice of Electronic Filing to the following counsel of record:

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/s/ Shavonne L. Smith

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